

AO 440 (Rev. 12/09) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

Southern District of New York

HARD ROCK CAFE INTERNATIONAL (USA), INC.,

*Plaintiff*

v.

HARD ROCK HOTEL HOLDINGS, LLC, et al.,

*Defendant*

Civil Action No. 10 CV 7244 (WHP)

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)*

DLJ MB IV HRH, LLC  
11 Madison Avenue  
New York, New York 10010

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Bruce R. Ewing, Esq.  
DORSEY & WHITNEY LLP  
250 Park Avenue  
New York, New York 10177

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

NOV 23 2010

Date: \_\_\_\_\_

RUBY J. KRAJICK  
CLERK OF COURT

*Catherine D. Dapley*  
\_\_\_\_\_  
Signature of Clerk or Deputy Clerk

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

HARD ROCK CAFE INTERNATIONAL )  
(USA), INC., )

Plaintiff, )

v. )

Case No. 10 CV 7244 (WHP)

HARD ROCK HOTEL HOLDINGS, LLC, )  
HARD ROCK HOTEL, INC., HRHH IP, LLC, )  
MORGANS HOTEL GROUP CO., MORGANS )  
HOTEL GROUP MANAGEMENT, LLC, )  
MORGANS GROUP, LLC, DLJMB HRH )  
VOTECO, LLC, DLJ MB IV HRH, LLC, DLJ )  
MERCHANT BANKING PARTNERS IV, L.P., )  
TURNER BROADCASTING SYSTEM, INC., )  
BRAD LACHMAN PRODUCTIONS, INC. and )  
GENCO ENTERTAINMENT, INC., )

Defendants. )

**CERTIFICATE OF SERVICE**

I hereby certify that on the 23<sup>rd</sup> day of November, 2010, I caused a true and correct copy of Plaintiff's First Amended Complaint to be served upon **Defendant DLJ MB IV HRH, LLC** by transmitting a true copy thereof via e-mail upon the following:

Jeremy Feigelson, Esq.  
DEBEVOISE & PLIMPTON LLP  
919 Third Avenue  
New York, NY 10022  
[jfeigels@debevoise.com](mailto:jfeigels@debevoise.com)

Mr. Feigelson agreed to accept service of Plaintiff's First Amended Complaint on behalf of Defendant DLJ MB IV HRH, LLC.

Dated: New York, New York  
November 24, 2010

**DORSEY & WHITNEY LLP**

By: \_\_\_\_\_/s/  
Gianfranco G. Mitrione (GM-8618)

250 Park Avenue  
New York, NY 10177-1500  
(212) 415-9200

Attorneys for Plaintiff